

of either party, require the jury, in addition to rendering a general verdict for the plaintiff or defendant, to find specially upon any particular questions of facts, material to the issues on trial, which questions shall be in writing; and in all cases at law where issues of facts are tried before a court without a jury, the said court, at the written request of either party, find specially upon any question of facts which it may deem necessary to be determined in order to arrive at its verdict. All such special findings of facts, whether by the jury or by the court, shall be in writing, and must be filed with the clerk as part of the record of the case, and in civil cases where a special finding of facts shall be inconsistent with the general verdict rendered at the same trial, the former shall control the latter and the court must give judgment accordingly; but nothing herein contained shall limit the court's power to grant a new trial or to arrest judgment on motion.

Balto. Traction Co. v. Appel, 80 Md. 611. B. & O. R. Co. v. Cain, 81 Md. 105. Dorsey v. Habersack, 84 Md. 128

#### PROCESS.

1898, ch 255.

**132.** No person shall be sued out of the county in which he resides until the sheriff or coroner of the county in which he resides shall have returned a *non est* on a summons issued in such county; provided, that nothing herein contained shall apply to any person who shall abscond from justice in the county where he lives, but such person may be sued in any county where he may be found; and provided, further, that any person who resides in one county but carries on any regular business, or habitually engages in any avocation or employment in another county, may be sued in either county, whether before a justice of the peace or in a court of law or equity; this section not to apply to ejectment, dower, replevin, *scire facias* on judgment or decree, nor to heirs, devisees or terretenants, against whom process may be issued to another county.